

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

2016 MAR 28 PM 7:34

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BY: _____ DEPUTY

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

DAIMLER TRUST, *et al.*

*

Plaintiffs,

*

Case No.: 16-cv-00544 (ELH)

v.

*

PRESTIGE ANNAPOLIS, LLC,

*

Defendant.

*

ORDER TO SHOW CAUSE

WHY MOTOR VEHICLE SHOULD NOT BE IMMEDIATELY RELEASED

THIS MATTER having been brought before the Court by Plaintiffs on an Order to Show Cause seeking an Order (1) approving and accepting a bond as substitute collateral for Prestige's alleged lien on a 2016 Mercedes-Benz vehicle bearing vehicle identification number WDDYJ7JA2GA001175 (the "Vehicle"), and (2) ordering the Vehicle be released to Plaintiffs, pursuant to Federal Rule of Civil Procedure 64(a) and Md. Code Ann., Com. Law § 16-206; and the Court having reviewed the accompanying Memorandum of Law and all other papers submitted by Plaintiffs; and the Court having determined that good and sufficient reasons exist to proceed by way of Order to Show Cause, and for good cause shown;

IT IS, on this 28th day of March, 2016, **ORDERED** that:

1. The Defendant appear and show cause on the 18th day of May, 2016, before the United States District Court for the District of Maryland, Hon. Ellen L. Hollander, at the Garmatz Federal Courthouse, 101 West Lombard St., Baltimore, MD 21201, at Courtroom 5B, 2:30 P.M., ~~or as soon thereafter as counsel can be heard, why an Order should not be entered;~~

- A. Approving the form of bond presented by Plaintiff as substitute for Prestige's alleged lien on the Vehicle;
- B. Accepting said bond, to be held by the clerk of this Court in accordance with Md. Code Ann., Com. Law § 16-206(b)(2);
- C. Ordering Prestige immediately release the Vehicle to Plaintiffs' possession; and
- D. Granting such other relief as the Court deems equitable and just.

And it is further **ORDERED** that:

2. A copy of this Order to Show Cause, legal memorandum and any other supporting papers submitted in support of this application shall be served upon Defendants by plaintiff within _____ days of receipt of by April 13, 2016; plaintiff shall file proof of service in this Order by Plaintiff's counsel, compliance with Fed. R. Civ. P. 4(1).

3. Defendant shall file and serve a written response to this Order to Show Cause and proof of service by April 29, 2016. The original documents must be filed with the Clerk of this Court, and a copy must be sent to Plaintiffs' attorney;

4. The Plaintiff must file and serve any written reply to the Defendant's opposition to the Order to Show Cause and proof of service by May 13, 2016;

~~5. If the Defendant does not file and serve opposition to this Order to Show Cause, the application will be decided on the papers on the return date and relief may be granted by default,~~

CLH
~~provided that the Plaintiff files a proof of service and a proposed form of Order at least three days prior to the return date;~~

6. If the Plaintiff has not already done so, a proposed form of Order addressing the relief ^{hearing} sought on the return date must be submitted to the Court no later than three (3) days before the ~~return~~ date; and

~~7. The Court will notify the parties whether it will entertain argument on the return date of the Order to Show Cause.~~

Steven L. Howerder
United States District Court Judge